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March 1, 2011

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

Agenda No. 1  
10/26/10

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

#16 OF MARCH 1, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2008-01962-(2)  
CONDITIONAL USE PERMIT NUMBER 2008-00163-(2)  
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted an appeal regarding the above-referenced permit to authorize the development of a scrap metal processing yard on a 0.7-acre site, located at 9113 South Alameda Street in the unincorporated community of Florence-Firestone. At the completion of the hearing, your Board indicated an intent to approve the permit with an additional condition imposed by your Board, and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

ANDREA SHERIDAN ORDIN  
County Counsel

By

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LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

*John F. Krattli*  
JOHN F. KRATTLI  
Senior Assistant County Counsel

LLH:sh  
Enclosure

HOA.767898.1

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NUMBER 2008-00163-(2)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2008-00163-(2) ("CUP") on July 27, 2010 and October 26, 2010. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on December 9, 2009, February 10, 2010, and April 14, 2010.
2. The permittee, Bahram Bakhshi, requests the CUP to authorize the development of a scrap metal processing yard on a 0.7-acre site. The use will include unloading metals from small trucks into a drop area, sorting and storing these metals, and subsequently loading these metals into shipping containers or end-dump trailers for shipment off site.
3. The site is located at 9113 South Alameda Street in the unincorporated community of Florence-Firestone within the Firestone Park Zoned District.
4. The subject property is zoned M-2 (Heavy Manufacturing). Under section 22.32.190(A)(1) of the Los Angeles County Code ("County Code"), operation of a scrap metal processing yard requires a conditional use permit.
5. The site is rectangular, with approximately 100 feet of frontage on Alameda Street, and 320 feet of frontage on 92nd Avenue.
6. The site is flat, paved, and developed with an existing 1,031-square-foot office building, eight parking spaces, and a 600-square-foot scale, all of which will remain as part of the permittee's use. The site has access from Alameda Street and 92nd Street and is enclosed with a 10-foot-high solid metal fence. Landscaping will be maintained along the exterior of the fence on the site's frontages on 92nd Street and Alameda Street.
7. The site consists of two irregularly-shaped parcels totaling 0.7 acre in size. One parcel is 28,000 square feet, and the second parcel is 4,000 square feet. The permittee will be required to record a covenant to keep and maintain both parcels as one for the term of the CUP.
8. The site plan for the project, labeled Exhibit "A," depicts the following: (a) a 1,031-square-foot office building; (b) a 600-square-foot scale; (c) a 3,750-square-foot scrap metal drop area; (d) two appliance storage areas, 150 square feet and 129.40 square feet, respectively; (e) a 208-square-foot ramp; (f) a designated parking area for Bobcat and CAT-320 equipment; (g) landscaping strips, two to three feet wide, outside the exterior 10-foot fence along Alameda Street and 92nd Street; (h) eight parking spaces, one of which is accessible for disabled persons; (i) two sheds, 100 square feet each; (j) two on-

site trash containers; (k) demarcated waiting areas for vehicle parking; (l) entrance and exit driveways; and (m) a designated "flag man" location for assisting traffic flow.

9. The subject property is designated "I" (Major Industrial) in the Countywide General Plan ("General Plan").
10. The surrounding properties are zoned as follows:
  - North: M-2 (Heavy Manufacturing);
  - South: M-1 (Light Manufacturing) and M-2;
  - East: M-2; and
  - West: M-2.
11. Surrounding land uses within 500 feet of the site are as follows:
  - North: Power transmission lines and a plant nursery;
  - South: Automobile dismantling yards;
  - East: The Alameda Rail Corridor; and
  - West: A scrap metal sorting yard.
12. Prior to the Commission's public hearing, an Initial Study was prepared for the project in compliance with the California Environmental Quality Act ("CEQA"). Based on the Initial Study, the County Department of Regional Planning ("Regional Planning") determined that a Negative Declaration ("ND") was the appropriate environmental document for the project, finding that there was no substantial evidence that the project would have a significant adverse effect on the environment.
13. The Commission conducted a public hearing on the project on December 9, 2009, February 10, 2010, and April 14, 2010. At each public hearing session, the Commission heard a presentation from Regional Planning staff, testimony from the permittee and its representatives, and testimony in favor of and in opposition to the project. The first two public hearing sessions were continued to allow additional time for, among other things: the permittee to provide a clearer project description; the County Department of Public Works ("Public Works") to conduct a field investigation to study feasible traffic mitigation measures for the proposed use; the permittee to obtain clearance from the County Fire Department regarding adequate fire flow; the permittee to submit an operations plan and revised site plans; and staff and the permittee to review the Phase I environmental study related to possible soil contamination of the site.
14. During the Commission's public hearing process, testimony and public comments were received with concerns regarding the project, particularly from individuals and/or entities in the immediate vicinity with uses similar to the permittee's proposed use. A principal concern raised was that the 0.7-acre site is too small for a scrap metal operation in terms of logistics, safety, and other necessary activities for the use. Williams Recycling Company ("Appellant"), the entity

located immediately west of the site, raised a number of other concerns, including that: (a) traffic congestion on the adjoining streets will make access to the Appellant's site more difficult for its customers; (b) because of the site's size, trucks and other vehicles will be unable to adequately maneuver on site, creating traffic congestion on adjoining streets; (c) because of the complexity and expense to comply with the use's regulatory requirements, the permittee will not likely comply with these requirements; and (d) items requiring "special handling" should be stored and disassembled in specially designated areas because of the materials they contain.

15. Other concerns raised by project opponents included that: (a) the permittee has operated similar uses in the area without obtaining proper approvals or complying with governing regulations; (b) the proposed use requires larger material handling equipment and greater areas for staging and preparation than proposed; and (c) potential risks exist that hazardous substances will be released onto the site.
16. During the Commission's public hearing process, the permittee and its representatives responded to the concerns raised by the project opponents in testimony and in writing. Of primary significance, the permittee and its representatives provided evidence that the site's size was appropriate for the scale and scope of the proposed operation. Information was submitted to staff explaining, among other things, that: (a) the permittee will use a smaller excavator than asserted by the opponents, which will extend outward approximately 12 to 13 feet and will operate in a curl arm position; (b) the permittee will not need significant space for multiple material drop piles since it will use only one pile; and (c) the permittee will target a smaller customer base than its large competitors and the bulk of its business will be from metal peddlers driving pick-up trucks, making a smaller yard appropriate for the use.
17. During the Commission's public hearing process, the project proponents provided evidence that: (a) the permittee's traffic and circulation plans were appropriate based on the scope of the proposed use; (b) the permittee will operate a simpler scrap metal yard than its larger competitors; (c) the permittee will not dismantle or otherwise process appliances, and will not accept fully assembled automobiles; (d) the site has been cleared of hazardous waste; and (e) the permittee will not accept items requiring "special handling."
18. During the Commission's public hearing process, the permittee submitted an operations and vehicle circulation plan describing the scope and manner of its intended operations. The operations plan served as a basis for, among other things, staff's determination that the project's storage and waiting areas were adequate.
19. On April 14, 2010, after considering all evidence and taking all testimony, the Commission closed the public hearing, adopted the ND for the project, and approved the CUP, subject to the conditions recommended by staff.

20. Pursuant to section 22.60.230 of the County Code, the Appellant appealed the Commission's approval to the Board. The appeal raised many, if not most, of the same issues raised by the Appellant at the Commission. The Appellant asserted that: (a) the site is insufficient in size for staging, handling, and processing scrap metal; (b) the permittee's use will negatively impact traffic in the area, thus harming the nearby operators of scrap yards; and (c) hazardous materials will be allowed on site raising a risk of their release into the environment.
21. Prior to the Board's public hearing on the project, written submissions were received both in favor of and in opposition to the project raising substantially similar claims as those raised at the Commission. In general, the proponents asserted that the size of the site was appropriate for the scope and scale of the proposed use, that the circulation plan, operations plan, and conditions of approval would effectively mitigate the opponents' traffic concerns, and that the permittee would be able to comply with all applicable regulations and/or other requirements for the safe operation and management of a scrap metal business. The opponents, on the other hand, generally claimed that the size of the site was too small for the proposed operation. As a result, according to the opponents, the permittee would be unable to safely manage and operate the site in compliance with all applicable regulations, and the use would cause significant traffic problems in the area. The opponents also submitted a document setting forth what was described as the industry requirements and standards for scrap metal recycling operations, claiming that the permittee will not be able to meet these requirements and standards.
22. On July 27, 2010, the Board conducted its first public hearing session on the appeal, and heard a presentation from Regional Planning staff, testimony from the Appellant and other opponents of the project, and testimony from the permittee and its representatives.
23. The Appellant and other opponents raised substantially similar claims as those raised at the Commission and in their prior written submissions to the Board. In like manner, the permittee and its representatives provided substantially similar responses to those provided to the Commission and in their prior written submissions to the Board.
24. On July 27, 2010, after hearing all testimony, the Board continued the public hearing to October 26, 2010 finding, among other things, that: (a) notwithstanding the Commission's approval of the CUP, outstanding concerns remained regarding the potential safety and operational hazards related to the size of the site; (b) the CUP did not provide clear conditions and enforcement protocols to ensure the permittee's operations, traffic, and parking plans would be effective; and (c) such lack of conditions and enforcement protocols was reflective of a more significant concern along the Alameda Corridor where over 20 businesses operate junk and salvage yards and over 80 percent of such businesses do not have valid permits to operate.

25. In addition to continuing the matter to October 26, 2010, the Board adopted a two-part motion directing Regional Planning to: (a) provide recommendations on additional CUP conditions for the project to address the Board's concerns related to the permittee's use; and (b) complete a review of conditional use permit requirements for scrap yards and report back to the Board within 90 days with findings and recommendations, looking at, among other things, existing standards and best practices of other urban jurisdictions.
26. On October 19, 2010, in response to the Board's two-part motion, Regional Planning issued two reports to the Board. One report provided a revised set of recommended CUP conditions for the project to address the Board's concerns related to the permittee's use. The second report provided, among other things, an overview of the scrap metal industry's standards and business practices, and recommendations on how best to regulate these uses. One recommendation by Regional Planning was to continue using a conditional use permit process to regulate these uses so that individual conditions could be developed on a case-by-case basis to address the specific impacts of a project. It was this case-by-case analysis that resulted in Regional Planning's development of the revised set of conditions for this CUP.
27. On October 26, 2010, the Board conducted a second public hearing session on the matter and heard a presentation from Regional Planning staff, testimony from the permittee and its representatives, and testimony from the Appellant and other project opponents. Staff described, among other things, the two reports discussed above and staff's revised set of recommended CUP conditions. The proponent and opponent testimony was substantially similar to that presented at the prior Board hearing session on July 27, 2010.
28. At the conclusion of the Board's public hearing, the Board adopted the ND, and indicated its intent to approve the CUP with staff's revised recommended conditions, with an additional condition that any notice of violation related to the permittee's use issued by a state or federal agency, including but not limited to, the United States Occupational Safety and Health Administration, the United States and California Environmental Protection Agencies, and the California Department of Toxic Substances Control, shall constitute grounds for a CUP notice of violation.
29. The Board finds that after the July 27, 2010 public hearing session, Regional Planning further evaluated the proposed CUP and submitted revised conditions to address concerns related to the use's potential safety and operational hazards, and parking and traffic issues. The Board further finds that the revised conditions adequately address these concerns.
30. The Board finds that the project conditions, as revised, specifically describe the types of activities and operations permitted on site and provide assurance that the size of the site can accommodate the proposed use.

31. The Board finds that, to mitigate the project's off-site traffic impacts, vehicles will be required to enter the site using Alameda Street, exit the site using 92nd Street, and follow a clockwise circulation pattern as depicted on the approved Exhibit "A."
32. The Board finds that, to control on-site vehicular flow and to ensure an adequate turning radius for semi-trucks, the permittee shall, among other things: (a) keep the central area of the site clear of any materials; (b) limit the storage and sorting areas to the 3,750-square-foot "drop area" depicted on the approved Exhibit "A;" and (c) direct on-site vehicles to designated waiting areas while waiting to unload, use the scale, and make payment.
33. The Board finds that, to prevent a back-up of vehicles in the public right-of-way, the permittee may implement a "flag man" procedure to regulate the number of incoming vehicles and to prevent the site from exceeding a maximum capacity of 20 small trucks and/or vehicles at any one time, excluding vehicles parked in a designated parking space. The permittee shall continuously monitor the number of vehicles on site to mitigate possible traffic congestion in and around the site. In addition, the permittee shall be required to temporarily close the facility to additional vehicles when the maximum capacity has been reached until the on-site number of vehicles has decreased.
34. The Board finds that the evidence provided by nearby scrap yard operators showed that certain materials typically received at scrap metal yards require "special handling" because of the materials they contain, and that special handling of materials should occur in certain designated areas. The Board further finds that, based on this evidence, the permittee has agreed not to accept items requiring special handling from customers.
35. The Board finds that to ensure on-street cuing of vehicles is avoided, the permittee shall maintain an efficient vehicular circulation system, and shall implement a clockwise circulation pattern for all vehicles, including semi-trucks.
36. The Board further finds that an efficient circulation system will require semi-trucks to be disallowed from circulating concurrently with other vehicles along the circulation path. Accordingly, before a semi-truck may enter the site, the site shall be closed to additional vehicles and cleared of all vehicles in the circulation area. The only permitted vehicles on the premises will be those parked in a designated parking space, except as set forth below.

The Board further finds that, if a semi-truck is equipped with a top-loading container, the site shall remain closed during the entire time the semi-truck is on site, including the time it is being loaded. This closure will allow the semi-truck to park within the circulation area adjacent to the storage area for loading, using an excavator. On the other hand, if the semi-truck is equipped with a rear-loading container, the site shall remain closed only for as long as the semi-truck is circulating, but shall not be required to remain closed during the time it is being

loaded. According to the permittee's operations plan, a rear-loading semi-truck will load in a designated parking space entirely outside the circulation area. Moreover, the semi-truck will use a skid loader, which will operate outside the circulation area and will travel between the storage area and the rear-loading container by way of a ramp. Thus, when the rear-loading of a semi-truck is occurring, other on-site vehicular circulation will not be impeded.

37. The Board further finds that, to allow adequate time for the site to be cleared of vehicles when a semi-truck is intending to enter the site, the permittee shall arrange for semi-truck shipments to be prescheduled, where semi-truck drivers will be required to "call ahead" before arriving at the site or to arrange to arrive at a prescheduled time.
38. The Board finds that, to prevent negative impacts to neighboring businesses due to the size of the site:
  - a. The permittee shall not accept or store materials requiring "special handling," which materials shall include, but not be limited to, radioactive materials, PCB (polychlorinated biphenyls) oils, capacitors and ballast containing PCB oils, capacitors containing oil, transmissions containing oil, motor oils, anti-freeze, mercury switches, capsules containing mercury, CFC (chlorofluorocarbon), and batteries and fuels;
  - b. The permittee shall be allowed to accept fully assembled "major appliances" on site from customers, but only for purposes of storing such appliances and shipping them off site to a vendor for processing and/or disassembling. In no event shall the permittee be allowed to process and/or disassemble a major appliance on site. However, the permittee shall be allowed to accept disassembled major appliances from customers, but only if the permittee complies with section 25211.2(b) of California Health and Safety Code regarding the transportation, delivery, and sale of discarded major appliances. For purposes of these requirements, a major appliance shall be as defined in section 42166 of the California Public Resources Code, and shall include a washer or dryer, the refrigerator or freezer, water and/or space heater, furnace or boiler, air-conditioner or dehumidifier, trash compactor, oven, stove, or microwave; and
  - c. The permittee shall be prohibited from accepting fully assembled automobiles or other vehicles from customers, but shall not be prohibited from receiving automobile/vehicle body frames, parts, or components already legally dismantled, subject to any and all state or local laws related to the acceptance of such body frames, parts, or components.

39. The Board finds that, to address issues related to the potential off-site impacts of this use, if the Director of Regional Planning so directs, the permittee shall hold a community meeting for purposes of identifying and informally resolving such issues. Minutes of the meeting shall be submitted to the Zoning Enforcement Section of Regional Planning.
40. The Board finds that, to assure continued compliance of this grant and the continued compatibility of this use with surrounding land uses, the term of the grant shall be limited to 10 years, with 13 monitoring inspections, two per year for the first three years of the grant, and annually thereafter.
41. The Board finds that the subject use is compatible with the surrounding community and/or land uses, which consist of other scrap metal yards, auto dismantling uses, and industrial sites, and that with the conditions of approval, the use will not create a negative impact on the surrounding uses.
42. The Board finds that an Initial Study was prepared for the project in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, a ND was prepared for the project.
43. Approval of this CUP is conditioned on the permittee's compliance with the attached conditions of approval.
44. The project is subject to California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
45. The permittee has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.
46. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially

detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;

- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and adequately served by other public or private service facilities as are required.

**THEREFORE, THE BOARD OF SUPERVISORS:**

- 1. Certifies that the ND was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the ND and that it reflects the independent judgment and analysis of the Board as to the environmental consequences of the project; finds that on the basis of the whole record before the Board, there is no substantial evidence that the project will have a significant effect on the environment;
- 2. Certifies that it adopted the ND at the conclusion of the public hearing on the project; and
- 3. Approves Conditional Use Permit Case No. 2008-00163-(2), subject to the attached conditions.

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 2008-00163-(2)**

1. This grant authorizes the development of a scrap metal processing yard, located at 9113 South Alameda Street in the unincorporated community of Florence-Firestone, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose and cannot be used unless and until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept all of the conditions of this grant, and that the conditions have been recorded as required by Condition No. 4, and until all required monies have been paid pursuant to Condition Nos. 10 and 17. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 2, 5, 6, 10, 14, and 17 shall become immediately effective upon final approval of this grant.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this grant approval, which action is brought within the applicable time period of section 65009 of the California Government Code or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or the permittee's counsel. The

permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts required herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code").

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission ("Commission") or a County Hearing Officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public health, safety, or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.
9. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) for such revision. With respect to any site plan changes resulting from the direction of the Board at its public hearing, the permittee shall submit a revised Exhibit "A" showing such changes within 60 days of the final approval date of this grant.
10. Within three days following the final approval date of this grant, the permittee shall remit processing fees in the amount of \$2,085.25 payable to the County in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the California Public Resources Code and section 711.4 of the California Fish and Game Code to defray the cost of wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final or operative until the fee is paid.

11. All development shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the Exhibit "A" or a revised Exhibit "A" approved by the Director.
12. All structures in the development shall comply with the requirements of the County Department of Public Works ("Public Works") Division of Building and Safety.
13. The permittee shall maintain the subject property in a neat and orderly fashion, and shall maintain all areas of the premises over which the permittee has control free of litter and debris.
14. This grant shall expire unless used within two years from the date of final approval. Pursuant to section 22.56.140 of the County Code, the permittee may request a one-year extension to use this grant, provided such request is made in writing and accompanied with the applicable fee at least six months prior to the expiration date described herein.
15. This grant shall terminate 10 years after its final approval date and entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the use after this termination date, the permittee shall file a new conditional use permit application with Regional Planning at least six months prior to the expiration of the grant, whether or not the permittee seeks any modification of the use at that time.
16. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property, including the applicable regulations adopted by the United States Occupational and Safety Health Administration, the United States and California Environmental Protection Agencies, and the California Department of Toxic Substances Control. Failure of the permittee to cease any development or activity not in full compliance with any such laws shall be a violation of these conditions.
17. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$2,600 to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to development in accordance with the site plan on file at Regional Planning. This fund shall provide for 13 inspections as follows: biannually (twice a year) for the first three years of the term; and annually thereafter. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time of payment, whichever is greater.

18. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
19. The permittee shall at all times maintain a current contact name, address, and telephone number with Regional Planning.
20. All signs to be located on site shall be subject to review and approval by Regional Planning. Portable signs on sidewalks adjacent to the site, and temporary on-site wall or pole signs shall be prohibited, except for any temporary sign along the site's Alameda Street frontage that prohibits vehicles from stopping.
21. Landscaped areas depicted on the approved Exhibit "A" shall comply with the County's drought-tolerant landscaping requirements of section 22.52.2230 of the County Code, including the requirement that a minimum of 75 percent of the total landscaped area on site shall contain plants from Regional Planning's drought-tolerant plant list. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas, except where turf or other ground cover is present. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary.
22. Prior to the use of this grant, the permittee shall ensure that the owner of the subject property records a covenant in the office of the Recorder indicating that the owner is aware of the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of the County Code, and that the owner is also aware that these requirements apply to this project.

23. All parking spaces on the premises shall be provided pursuant to Part 11 of section 22.52 of the County Code. All parking areas, as depicted on the approved Exhibit "A," shall be conveniently accessible and permanently maintained with, among other things, proper paving, striping, landscaping, and wheel stops.
24. The facility's area for sorting and storage shall be restricted to the area marked "drop area" on the approved Exhibit "A." At no time shall sorting activities impede the traffic circulation pattern depicted on the approved Exhibit "A."
25. The permittee shall maintain an interior 10-foot-wide setback around the storage area on the western and northern edges of the property.
26. The permittee shall be permitted to store materials on site above the height of the fence, provided the storage is not within 10 feet of any exterior lot line of the property.
27. The permittee shall not place or allow scrap metal to remain outside the site's enclosed yard area. The yard area shall be paved with asphalt surfacing and shall periodically be inspected and repaved to prevent deterioration of the area.
28. At any time when the site is closed for in-bound shipments, as set forth in Condition No. 42, employee parking shall be limited to five parking spaces. At all other times employees may use any additional parking space on site. The permittee shall implement an alternative transportation program when necessary to accommodate the travel and/or parking needs of its employees.
29. The following requirements shall apply regarding on-site vehicular circulation:
  - a. All vehicles entering the site shall use Alameda Street, which shall be limited to an entrance only, and all vehicles exiting the site shall use 92nd Street, which shall be restricted to an exit only.
  - b. All on site vehicular circulation shall occur and be maintained in a clockwise circular pattern as depicted on the approved Exhibit "A." The permittee shall control on-site traffic by directing vehicles to designated waiting areas when they are waiting to use the scale, unload, and receive payment. Vehicles shall be allowed to stop in designated waiting areas only.
  - c. The permittee shall monitor in-bound vehicles to prevent vehicle back-up in the public right-of-way when the site has reached maximum capacity, which shall be defined to mean any time when vehicle circulation is impeded. In no event shall more than 20 vehicles be on site at any one time. When site capacity is reached, the entrance gate, as depicted on the approved Exhibit "A," shall be closed and no additional vehicles shall be permitted to enter the site.

- d. In lieu of closing the entrance gate pursuant to subdivision (c) above, the permittee may use a "flag man" procedure on a trial basis, which procedure shall be discontinued if the Director determines that the procedure is ineffective at controlling in-bound vehicles from stopping in the public right-of-way. When using the procedure, the "flag man" shall be positioned at the entrance gate, which may remain open, and the "flag man" shall signal to incoming vehicles that the site is closed to in-bound vehicles when it has reached capacity and that the vehicles cannot stop in the public right-of-way and wait to enter the site . If the "flag man" procedure is discontinued, the permittee shall again control in-bound vehicles in the manner described in subdivision (c) or by any other means determined appropriate by the Director.
30. The permittee shall comply with the following regarding vehicle loading:
- a. Before a semi-truck may enter the site, the site shall be closed to additional vehicles and cleared of all vehicles in the circulation area. The only permitted vehicles on the premises will be those in a designated parking space.
  - b. If a semi-truck is equipped with a top-loading container, the entrance gate shall remain closed during the entire time the semi-truck is on site, including the time it is being loaded. Loading top-loading trucks shall occur only in the designated area on the east side of the site, as shown on the approved Exhibit "A."
  - c. If the semi-truck is equipped with a rear-loading container, the entrance gate shall remain closed only for as long as the semi-truck is circulating, but shall not be required to be closed during the time it is being loaded. Loading rear-loading trucks shall occur only in the designated area on the north side of the site, as shown on the approved Exhibit "A." Whenever possible, the permittee shall conduct rear-loading from 4:00 p.m. to 6:00 p.m. on days that the facility is otherwise open for business.
  - d. The permittee shall arrange for semi-truck shipments to be prescheduled, where semi-truck drivers will be required to "call ahead" before arriving at the site or arrange to arrive at a prescheduled time.
31. All shipments to the facility shall be inspected immediately upon arrival to determine whether they contain any prohibited materials, as described in these conditions.
32. The permittee shall not accept materials from customers or store materials on site that require "special handling," which materials shall include, but not be limited to, radioactive materials, PCB (polychlorinated biphenyls) oils, capacitors

and ballast containing PCB oils, capacitors containing oil, transmissions containing oil, motor oils, anti-freeze, mercury switches, capsules containing mercury, CFC (chlorofluorocarbon), batteries, and fuels.

33. The permittee shall be prohibited from accepting a fully assembled "major appliance" for any purpose other than to store such appliance and ship it off site to a vendor for processing and/or disassembling. In storing such major appliances, the permittee shall keep them separate from the mixed metals pile and shall place them in the designated "major appliance area" within the "drop area" shown on the approved Exhibit "A." The permittee shall schedule shipments of the stored major appliances on a regular basis to prevent expansion of the major appliance storage area. In no event shall the permittee be allowed to process and/or disassemble a major appliance on site. For purposes of this condition and Condition No. 34, a major appliance shall be as defined in section 42166 of California Public Resources Code, and shall include a washer or dryer, refrigerator or freezer, water and/or space heater, furnace or boiler, air-conditioner or dehumidifier, trash compactor, oven, stove, or microwave.
34. The permittee shall be allowed to accept a disassembled major appliance, but only if the permittee complies with section 25211.2(b) of California Health and Safety Code regarding the transportation, delivery, and sale of discarded major appliances.
35. The permittee shall be prohibited from accepting a fully assembled automobile or other vehicle, but shall not be prohibited from receiving automobile/vehicle body frames, parts, or components legally dismantled, subject to any and all state or local laws related to the acceptance of such body frames, parts, or components.
36. The permittee shall not accept any plastics, paper, glass, and/or other type of recyclables.
37. The permittee shall in no event operate as a certified California Refund Value recycling facility.
38. The permittee shall process ferrous and non-ferrous metals only, and all metals shall be stored in the designated storage area on site, as shown on the approved Exhibit "A."
39. Vehicle dismantling and/or disassembly shall be prohibited on site.
40. The permittee shall be prohibited from installing any stationary crushing or sorting machines on site.

41. The use of machinery shall be subject to the following restrictions:
  - a. No more than three items of heavy machinery shall be located on the premises at any time, and no more than two items of heavy machinery shall be in operation at any time;
  - b. If machinery with a crane is used, such machinery shall not contain an extended boom;
  - c. No machinery shall be used with a cutting shear attachment for cutting metals; and
  - d. Cutting metals shall be permitted only with use of a blow torch.
42. The facility's hours of operation shall be as follows:
  - a. Unrestricted operating hours shall be from 7:00 a.m. to 4:00 p.m., Monday through Saturday, where the facility shall be able to accept and/or process in-bound and out-bound shipments;
  - b. Restricted operating hours shall be from 4:00 p.m. to 6:00 p.m., Monday through Saturday, where the facility shall be able to process out-bound shipments, but shall be closed for in-bound shipments;
  - c. Notwithstanding subsection (a) and (b), the facility shall be closed for in-bound shipments at any time the facility is loading an "end dump" truck positioned along the eastern edge of the facility's sorting area.
  - d. On Sundays and holidays the facility shall be closed for all operations.
43. If an issue arises related to the facility's operation which is brought to the Director's attention, the Director may require the permittee to hold a community meeting to address such issue, and to provide notice of the meeting to the current property owners within a 500-foot radius of the site, as listed in the County Assessor's records. To show evidence of compliance with this requirement, the permittee shall provide the Director copies of the meeting notices, the address list used for the notices, the meeting minutes describing the issues addressed, and the proposed action to address the issues raised.
44. Within 60 days of the final approval date of this grant, the permittee shall record a covenant and agreement with the Recorder showing that the owner of the subject property has agreed to hold the two parcels used by this facility as one parcel for the life of the grant. Prior to recordation, the covenant and agreement shall be submitted to Regional Planning for review and approval, and upon recordation, an official copy of the recorded document shall be provided to the Director.

45. The permittee shall comply with all requirements set forth in the County Fire Department's letter dated February 4, 2010, and Public Works' letter dated April 14, 2010, both of which are attached hereto.

Attachments:

Letter from County Fire Department, dated February 4, 2010

Letter from County Department of Public Works, dated April 14, 2010



**COUNTY OF LOS ANGELES  
FIRE DEPARTMENT**

5823 Rickenbacker Road  
Commerce, California 90040-3027

**DATE:** February 4, 2010

**TO:** Department of Regional Planning  
Permits and Variances

**PROJECT #:** CUP R2008-01962

**LOCATION:** 9113 S. Alameda Street, Los Angeles

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is \_\_\_\_ gallons per minute for \_ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. \_\_ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is \_\_\_\_\_ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing \_\_\_\_\_ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Verify \_\_ 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** THIS PROJECT IS CLEARED FOR PUBLIC HEARING BY THE FIRE DEPARTMENT.
- Location:** The Fire Flow performed on 01-13-10 by Golden Sate Water Company is adequate.
- Access:** Access is adequate as indicated on the Site Plan dated 05-28-09.
- Special Requirements:** All fire apparatus entry gates shall comply with LACoFD Regulation 5.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **SCOTT JAEGGI**

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783



GAIL FARRER, Director

**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 14, 2010

IN REPLY PLEASE  
REFER TO FILE **LD-1**

**TO:** Mark Child, AICP  
Zoning Permits I Section  
Department of Regional Planning

Attention Andrew Svitek

**FROM:** Steve Burger  
Land Development Division  
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENT**  
**PROJECT NO. R2008-01962**  
**CUP NO. RCUPT 200801963**  
**9113 ALAMEDA STREET**  
**UNINCORPORATED WALNUT PARK AREA**

- Public Works recommends approval of this CUP.
- Public Works does NOT recommend approval of this CUP.

We reviewed the site plan for the CUP in the unincorporated County area of Walnut Park. The project site is located at the intersection of Alameda Street and 92nd Street. The project is for the construction of a scrap metal recycling and collection center with on-site parking.

Upon approval of the site plan, we recommend the following conditions:

1. Right of Way and Road Improvement Requirements
  - 1.1 Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Alameda Street.
  - 1.2 Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement along the property frontage on Alameda Street and 92nd Street to the satisfaction of Public Works.

- 1.3 Plant street trees along property frontage on Alameda Street and 92nd Street to the satisfaction of Public Works. Existing trees in dedicated or to be dedicated, right of way shall be removed and replaced if not acceptable as street trees.
- 1.4 Reconstruct the curb ramps, driveways, and the sidewalks to meet current Americans with Disabilities Act requirements along the property frontage on Alameda Street and 92nd Street.
- 1.5 Submit street improvement plans and acquire street plan approval or direct check status before obtaining grading permit.
- 1.6 The driveway located along Alameda Street shall be restricted to right-turn ingress only, and the driveway located along 92nd Street shall be restricted to right-turn egress only.
- 1.7 All driveway gates are to remain open during business hours.
- 1.8 Adhere to the site operational plan (traffic circulation, traffic control, and hours of operation) as stipulated by the Department of Regional Planning, based on the approved revised site plan.
- 1.9 Prior to grading/drainage/building permit, road improvements and detailed signing and striping plans shall be submitted to the Public Works' Land Development Division, Road and Grading Section to the satisfaction of Public Works.
- 1.10 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road improvement comments, please contact Sam Richards at (626) 458-4921 or by e-mail at [srich@dpw.lacounty.gov](mailto:srich@dpw.lacounty.gov).

## 2. Grading

- 2.1 Submit a grading plan for approval. The grading plan must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, the Standard Urban Stormwater Mitigation Plan (SUSMP) devices (if applicable), and existing easements. The applicant is solely responsible for obtaining easement

holder approvals. Comply with all National Pollutant Discharge Elimination System requirements.

- 2.2 Submit a Health and Safety plan for disposal of any contaminated materials if determined necessary to the satisfaction of Public Works.

For questions regarding the grading comments, please contact Sam Richards at (626) 458-4921 or by e-mail at [srich@dpw.lacounty.gov](mailto:srich@dpw.lacounty.gov).

### 3 Drainage

- 3.1 Prior to issuance of a building permit, drainage plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties; the elimination of sheet overflow and ponding; and to comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and SUSMP requirements.

For questions regarding the drainage comment, please contact Amir Ibrahim at (626) 458-4921 or by e-mail at [ibrahim@dpw.lacounty.gov](mailto:ibrahim@dpw.lacounty.gov).

### 4. Hazardous Waste

- 4.1 If any excavated soil is contaminated by or classified as hazardous waste by an appropriate agency, the soil must be managed and disposed in accordance with applicable Federal, State, and local laws and regulations.

For questions regarding the hazardous waste comment, please contact Corey Mayne at (626) 458-3524 or by e-mail at [cmayne@dpw.lacounty.gov](mailto:cmayne@dpw.lacounty.gov).

### 5. Underground Storage Tanks/Industrial Waste/Stormwater Comments

- 5.1 Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, industrial waste treatment or disposal facilities, and/or storm water treatment facilities, this Public Works' Environmental Programs Division must be contacted for required approvals and operating permits.
- 5.2 All development and redevelopment projects which fall into one of the SUSMP project types, characteristics, or activities, must obtain SUSMP approval by the appropriate agency.

Mark Child  
April 14, 2010  
Page 4

For questions regarding the hazardous waste comment, please contact Corey Mayne at (626) 458-3524 or by e-mail at [cmayne@dpw.lacounty.gov](mailto:cmayne@dpw.lacounty.gov).

## 6. Traffic Studies

6.1 The project will not be required to submit a traffic impact analysis; however, the project shall be conditioned to restrict the two project driveways to right-turn ingress and egress and require the gates to remain open during business hours.

For questions regarding the hazardous waste comment, please contact Jeff Pletyak at (626) 300-4721 or by e-mail at [jpletyak@dpw.lacounty.gov](mailto:jpletyak@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Ruben Cruz or Toan Duong at (626) 458-4910 or by e-mail at [rcruz@dpw.lacounty.gov](mailto:rcruz@dpw.lacounty.gov) or [tduong@dpw.lacounty.gov](mailto:tduong@dpw.lacounty.gov).

RC:ca

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bc: Environmental Programs (Mayne)  
Geotechnical and Materials Engineering (Goodman)  
Traffic and Lighting (Traffic Studies)  
Land Development (Narag)